



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

DA 10-2168  
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## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF RICE BELT HOLDINGS, INC. TO SMITHVILLE HOLDING COMPANY, INC.

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-224

**Comments Due: November 23, 2010**  
**Reply Comments Due: November 30, 2010**

On October 25, 2010, Robert C. Pierson and Smithville Holding Company, Inc. (Smithville Holding), Rice Belt Holdings, Inc. (RB Holdings), Rice Belt Telephone Company, Inc. (RB Telephone) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of RB Holdings from Robert C. Pierson to Smithville Holding.<sup>1</sup>

RB Holdings, an Arkansas corporation, is a holding company that owns RB Telephone, an Arkansas corporation and incumbent local exchange carrier (incumbent LEC), which provides local exchange telephone services (including interstate exchange access services) and domestic interexchange long distance toll services in three rural local exchanges (the Fisher, Waldenberg and Weiner exchanges) in northeastern Arkansas. Rice Belt Holdings, Inc. is wholly owned by Robert C. Pierson, a U.S. citizen. RB Holdings and RB Telephone have no other direct or indirect ownership interests in any other entities that offer domestic telecommunications services.

Smithville Holdings, an Indiana corporation, is a holding company that does not directly provide domestic telecommunications services. Smithville Holding wholly owns, among other entities, Smithville Communications, Inc., d/b/a Smithville Telephone Company (Smithville Communications), an incumbent LEC that owns and operates twelve rural telephone exchanges in southern Indiana. Smithville Holdings has no existing operations, subsidiaries or affiliates in Arkansas. Smithfield Holdings is owned by the following Indiana trusts: Darby A. McCarty Residuary Trust (78.14% Voting, 15.06% Nonvoting); Darby A. McCarty Revocable Trust (21.86% Voting, 0.42% Nonvoting); Darby A. McCarty Irrevocable Trust (No Voting, 26.10% Nonvoting); Cullen H. McCarty Revocable Trust (No Voting, 39.17% Nonvoting); Cullen H. McCarty Irrevocable Trust (No Voting, 18.71% Nonvoting).<sup>2</sup>

<sup>1</sup> 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants also filed an application for transfer of control associated with authorizations for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other pending applications.

<sup>2</sup> The Darby A. McCarty Residuary Trust has the following U.S. citizens that serve as trustees: Darby A. McCarty, Cullen H. McCarty and David S. McCrea. The sole beneficiary of the Darby A. McCarty Residuary Trust is Darby A. McCarty. The sole trustee and beneficiary of the Darby A. McCarty Revocable Trust is Darby A. McCarty. The trustees of the Darby A. McCarty Irrevocable Trust (all U.S. citizens) are Darby A. McCarty, Cullen H. McCarty

The Applicants have agreed to a proposed transaction for the sale of all of the stock of RB Holdings held by Mr. Pierson to Smithville Holding. At the completion of the proposed transaction, RB Holdings will be a wholly owned subsidiary of Smithville Holding and an affiliate of Smithville Communications. Control of RB Holdings will give Smithville Holding control of RB Telephone and its blanket domestic section 214 authorization. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>3</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Rice Belt Holdings, Inc. to Smithville Holding Company, Inc., WC Docket No. 10-224 (filed Oct. 25, 2010).

## **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before November 23, 2010**, and reply comments **on or before November 30, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31<sup>st</sup> day after the date of this notice.<sup>4</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov) and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

### **In addition, e-mail one copy of each pleading to each of the following:**

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and David S. McCrea. The sole beneficiary of the Darby A. McCarty Irrevocable Trust is Darby A. McCarty. The trustees of the Darby A. McCarty Irrevocable Trust are Darby A. McCarty, Cullen H. McCarty and David S. McCrea. The sole beneficiary of the Darby A. McCarty Irrevocable Trust is Darby A. McCarty. The sole trustee and beneficiary of the Cullen H. McCarty Revocable Trust is Cullen H. McCarty. The trustees of the Cullen H. McCarty Irrevocable Trust are Darby A. McCarty and Cullen H. McCarty. The sole beneficiary of the Cullen H. McCarty Irrevocable Trust is Cullen H. McCarty. Darby A. McCarty and Cullen H. McCarty are mother and son.

<sup>3</sup> 47 C.F.R. § 63.03(b)(2)(iii).

<sup>4</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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